

## REMARKS

Reconsideration of this application in view of the amendments made to the claims and drawings, and the following remarks, is respectfully requested. Claims 1, 3-34, and 36-47 are currently pending.

Claims 2-11, 19, 21-31, 35 and 39-46 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Claim 1 has been amended to include the limitations of claim 2 and claim 2 has been cancelled. Claim 1 is now allowable. ~~Claims 3-31 depend from allowable claim 1 and thus are allowable for at least the same reasons.~~ Claim 32 has been amended to include the limitations of claim 35 and claim 35 has been cancelled. Claim 32 is now allowable. Claims 33, 34 and 36-46 depend from allowable claim 32 and thus are allowable for at least the same reasons. Applicants respectfully request withdrawal of the rejections and allowance of claims 1, 3-34 and 36-46.

Claim 47 was rejected under 35 U.S.C. 102(b) as being anticipated by Eguchi et al. (US 5568337). The Office Action asserts that Eguchi teaches the method as claimed. Under Allowable Subject Matter, however, the Examiner states that Eguchi fails to teach that the position sensitive detection component comprises first and second position sensitive detectors positioned to intercept the first and second images, respectively.

Claim 47 has been amended to recite a method including detecting images created by simultaneous incidence of the plurality of differentiable beam portions on the target using a plurality of position sensitive detectors, and analyzing the output of the plurality of position sensitive detectors due to the locations of the detected images on the plurality of position sensitive detectors to calculate a desired distance measurement between the target and the reference. As stated by the Examiner, Eguchi fails to teach or suggest a method of measuring distance using the recited plurality of detectors. Therefore, amended claim 47 is not anticipated by Eguchi, and Applicants respectfully request withdrawal of the rejection and allowance of this claim.

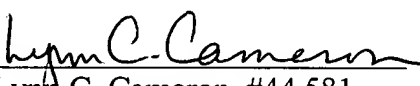
### CONCLUSION

All pending claims are now in condition for allowance. The prompt issuance of a notice to that effect is respectfully solicited. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

No fee is believed necessary for entry of the paper. If the amount submitted herewith is incorrect, the Commissioner is authorized to credit any overpayment or charge any deficit to our Deposit Account No. 06-0029 and is requested to notify us of the same.

Respectfully Submitted,

ROGER W. SCHMITZ et al.

By:   
Lynn C. Cameron, #44,581  
FAEGRE & BENSON LLP  
2200 Wells Fargo Center  
90 South Seventh Street  
Minneapolis, MN 55402-3901  
612/766-8073

Dated: January 21, 2004

M2:20595330.01